

Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 1. This sheet which includes Fig. 1 replaces the original sheet including Fig. 1.

In the Office Action dated March 25, 2005, Figure 1 was objected to because in Figure 1 two arrows were depicted entering and leaving block 170 but were not labeled and did not point to another block. An amended Figure 1 is provided with this response to address this objection. As described in the original specification in the paragraph at line 16 of page 25, the arrows were intended to depict sensing a height of a vehicle. Hence, Figure 1 is amended to have the arrows point to the top of the vehicle and the height of the vehicle is also shown as " H_{VEHICLE} ." No new matter is added with support provided at least in this originally filed paragraph.

Attachment: Replacement Sheet

REMARKS/ARGUMENTS

Prior to this Amendment, claims 1-20 were pending in the application.

Claim 1 is amended to include the allowable subject matter from dependent claim 17, and new claims 21-26 present limitations similar to claim 1 as amended to include limitations of allowable claim 15 and present limitations as provided in previously submitted claims depending from claim 1.

Independent claim 9 is amended to rewrite allowable dependent claim 15 in independent form, with claim 15 being canceled.

Independent claim 18 is amended to include the allowable subject matter from allowable claim 15 in system form.

New claims 21-34 are added to present varying coverage for portions of the invention not shown by the cited art such as by rewriting claim 1 to include limitations of claim 15 and to present claim 9 with limitations of allowable claims 12 and 17. The new dependent claims in the claims 21-34 are similar to those previously presented as depending from claims 1 and 9.

After entry of the amendment, claims 1-14 and 16-34 remain for consideration by the Examiner. No new matter is added with support found at least in the original claims.

Objections to the Specification and Drawings

In the Office Action, the first paragraph of the specification was objected to because the patent number was not listed for the priority document. This paragraph is amended to provide the now issued patent number.

Figure 1 was objected to due to an informality (i.e., lines shown without labels and without being directed to another component). Figure 1 is amended to be consistent with the specification and provide further clarity.

Allowable Subject Matter

In the Office Action, claims 12, 15, and 17 were objected to as depending from a rejected base claim but were found to be allowable if rewritten in independent form.

In response, claims 12 and 17 are rewritten in independent form as newly added claims 27 and 28.

Claim 15 is rewritten in independent form by amending base claim 9 to include all the limitations of allowable claim 15. As a result, claim 9 and claims 9-17, which depend from claim 9 are believed in condition for allowance.

Claim Rejections Under 35 U.S.C. §103

In the Office Action, claims 1, 2, 4, 7, 9-11, 13-14, and 18-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 5,938,717 ("Dunne") in view of U.S. Patent 6,100,819 ("White"). This rejection is traversed based on the following remarks.

Claim 1 is amended to include limitations similar to that of allowable claim 17 and its intervening base claim, i.e., claim 9. Hence, claim 1 and claims 2, 4, and 7, which depend from claim 1, are believed allowable over the combined teaching of Dunne and White.

Independent claim 9 is amended to include the limitations of dependent claim 15 (which is canceled) which was found by the Examiner to contain subject matter allowable over Dunne in view of White. As a result, claim 9 and claims 10, 11, 13, and 14 are believed allowable over Dunne and White.

Independent claim 18 is amended to include limitation similar to those in amended method claim 9 in system form. Hence, claim 18 and claims 19 and 20, which depend from claim 18, are believed allowable over the teaching of Dunne and White.

The Office Action further rejected claims 5, 6, 8, and 16 under 103(a) as being unpatentable over Dunne in view of White further in view of the Titanium Metals Corp. case. Claims 5, 6, 8, and 16 depend from claims 1 and 9, respectively, which are believed in condition for allowance for the reasons provided above. Hence, claims 5, 6, 8, and 16 are believed allowable as depending from an allowable base claim.

Yet further, the Office Action rejected claim 3 under 103(a) as being unpatentable over Dunne in view of White further in view of U.S. Patent 6,546,119 ("Ciolli"). Claim 3 depends from claim 1, which is believed allowable as amended as discussed above, and therefore, claim 3 is believed allowable as depending from an allowable base claim with Ciolli not providing teaching to overcome the deficiencies of Dunne and White with respect to claim 1.


Conclusions

In view of all of the above, the claims are now believed to be allowable and the case in condition for allowance which action is respectfully requested.

A check is included for the fee associated with the addition of claims in excess of 3 independent claims and in excess of 20 claims. However, any fee deficiency associated with this submittal may be charged to Deposit Account No. 50-1123.

Respectfully submitted,

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Attachment: Replacement Sheet (Fig. 1)